

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 80-5

STATEMENT OF INTENT REGARDING EROSION CONTROL

- I. WHEREAS, this Regional Board, on April 8, 1975, adopted the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) which included an enforceable prohibition against the discharge of silt, sand, or other earthen material that would unreasonably affect or threaten to affect water quality or beneficial uses; and,
- II. WHEREAS, this Regional Board, on February 21, 1978, adopted a Position Statement Regarding Surface Runoff which stated that best management practice (BMPs) should be developed by local government as part of the 208 process and that the Regional Board will use its regulatory authority to assure that acceptable BMPs are developed and implemented; and,
- III. WHEREAS, the Association of Bay Area Governments (ABAG) adopted a Water Quality Management Plan on June 10, 1978 pursuant to Section 208 of PL 92-500 as a part of their Environmental Management Planning Program which identified surface runoff as a significant source of pollutants; and,
- IV. WHEREAS, the ABAG as part of the FY 1979-80 continuing planning process has identified and proposes to consider the adoption of revisions to the Water Quality Management Plan relative to the surface runoff policy which includes actions pertaining to BMPs, model ordinances and programs for the control of construction related erosion that impacts water quality and beneficial uses; and,
- V. WHEREAS, this Regional Board has informed local governments of its concern for erosion related to construction activities and has encouraged local government to work with ABAG in the development and implementation of effective surface runoff control programs; and,
- VI. WHEREAS, on May 20, 1980, this Regional Board authorized a memorandum of understanding between the Regional Board and the Council of Bay Area Resource Conservation Districts which will greatly strengthen the ability to identify and correct erosion control problems related to agricultural and construction activities; and,
- VII. WHEREAS, on May 20, 1980, this Regional Board, in a public meeting, heard and considered all comments regarding this matter; now,
- VIII. THEREFORE, BE IT RESOLVED that this Regional Board recognizes the serious water quality impacts associated with construction related activities.
- IX. BE IT FURTHER RESOLVED that the Regional Board recognizes that local governments have primary responsibility for control of erosion from land development activities and have adequate power to adopt and administer effective erosion control ordinances and implement effective enforcement programs.

- X. BE IT FURTHER RESOLVED that the Regional Board supports ABAG's approach to identify and remedy soil erosion control problems and efforts to assist local governments to adopt regulatory programs to control water quality impacts from construction related erosion.
- XI. BE IT FURTHER RESOLVED that the Regional Board further supports ABAG's effort to develop a training program for inspectors and contractors to provide for more effective implementation of erosion control measures.
- XII. BE IT FURTHER RESOLVED that the Regional Board encourages local governments to adopt effective erosion control ordinances and implement effective regulatory programs.
- XIII. BE IT FURTHER RESOLVED that the Regional Board intends to monitor the progress made by local governments to adopt and implement effective regulatory programs to control water quality impacts associated with erosion.
- XIV. BE IT FURTHER RESOLVED that the Regional Board intends to take appropriate enforcement action pursuant to the California Water Code in cases where land development or other construction activity causes or threatens to cause adverse water quality impacts associated with erosion problems and intends to consider, during enforcement actions, whether local government negligently contributed to the problem due to failure to adopt and/or effectively enforce erosion control programs.
- XV. BE IT FURTHER RESOLVED that the Regional Board intends to consider strengthening its position with regard to regulation of erosion and sediment control problems and in particular with regard to construction activities following ABAG's 1979-80 Water Quality Management Plan revisions relating to erosion control.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on May 20, 1980.

FRED H. DIERKER
Executive Officer